

(III) SUFFICIENCY.—If the Secretary of Commerce determines that a covered entity cannot feasibly issue warrants or other equity interests as required by this subparagraph, the Secretary of Commerce may accept a senior debt instrument in an amount and on such terms as the Secretary of Commerce deems appropriate.

(C) DEFINITIONS.—In this paragraph:

(i) COVERED PROJECT LABOR AGREEMENT.—The term “covered project labor agreement” means a project labor agreement that—

(I) binds all contractors and subcontractors on a construction project through the inclusion of appropriate specifications in all relevant solicitation provisions and contract documents;

(II) allows all contractors and subcontractors to compete for contracts and subcontracts without regard to whether they are otherwise a party to a collective bargaining agreement;

(III) contains guarantees against strikes, lockouts, and other similar job disruptions;

(IV) sets forth effective, prompt, and mutually binding procedures for resolving labor disputes arising during the covered project labor agreement; and

(V) provides other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health.

(ii) PROJECT LABOR AGREEMENT.—The term “project labor agreement” means a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project and is described in section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)).

**SA 1925.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 499, strike line 20 and all that follows through page 501, line 11.

**SA 1926.** Mr. RISCH (for himself, Mr. CRAPO, Ms. ROSEN, Mrs. CAPITO, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.**

Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

(1) in subsection (a), by adding at the end the following:

“(11) UNDERPERFORMING STATE.—The term ‘underperforming State’ means a State participating in the SBIR or STTR program that has been calculated by the Administrator to be one of 26 States receiving the fewest SBIR and STTR first phase awards (as described in paragraphs (4) and (6), respectively, of section 9(e)).”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) in clause (iii), by striking “and” at the end;

(II) in clause (iv), by striking the period at the end and inserting “; and”; and

(III) by adding at the end the following:

“(v) to prioritize applicants located in an underperforming State.”;

(B) in paragraph (2)(B)(vi)—

(i) in subclause (II), by striking “and” at the end; and

(ii) by adding at the end the following:

“(IV) located in an underperforming State; and”;

(C) in paragraph (3), by striking “Not more than one proposal” and inserting “There is no limit on the number of proposals that”; and

(D) by adding at the end the following:

“(6) ADDITIONAL ASSISTANCE FOR UNDERPERFORMING STATES.—Upon application by a recipient that is located in an underperforming State, the Administrator may—

“(A) provide additional assistance to the recipient; and

“(B) waive the matching requirements under subsection (e)(2).”

“(7) LIMITATION ON AWARDS.—The Administrator may only make 1 award or enter into 1 cooperative agreement per State in a fiscal year.”;

(3) in subsection (e)—

(A) in paragraph (2)—

(i) to by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—The non-Federal share of the cost of an activity (other than a planning activity) carried out using an award or under a cooperative agreement under this section shall be—

“(i) 25 cents for each Federal dollar, in the case of a recipient that will serve small business concerns located in an underperforming State, as calculated using the data from the previous fiscal year; and

“(ii) except as provided in subparagraph (B), 75 cents for each Federal dollar, in the case of a recipient that will serve small business concerns located in a State that is not described in clause (i) that is receiving SBIR and STTR first phase awards, as described in paragraphs (4) and (6), respectively, of section 9(e).”;

(ii) in subparagraph (D), by striking “, beginning with fiscal year 2001” and inserting “and make publicly available on the website of the Administration, beginning with fiscal year 2022”; and

(iii) by adding at the end the following:

“(E) PAYMENT.—The non-Federal share of the cost of an activity carried out by a recipient may be paid by the recipient over the course of the period of the award or cooperative agreement.”; and

(B) by adding at the end the following:

“(4) AMOUNT OF AWARD.—In carrying out the FAST program under this section—

“(A) the Administrator shall make and enter into awards or cooperative agreements;

“(B) each award or cooperative agreement described in subparagraph (A) shall be for not more than \$500,000, which shall be provided over 2 fiscal years; and

“(C) any amounts left unused in the third quarter of the second fiscal year may be retained by the Administrator for future FAST program awards.

“(5) REPORTING.—Not later than 6 months after receiving an award or entering into a cooperative agreement under this section, a recipient shall report to the Administrator—

“(A) the number of awards made under the SBIR or STTR program;

“(B) the number of applications submitted for the SBIR or STTR program;

“(C) the number of consulting hours spent;

“(D) the number of training events conducted; and

“(E) any issues encountered in the management and application of the FAST program.”;

(4) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “Small Business Innovation Research Program Reauthorization Act of 2000” and inserting “United States Innovation and Competition Act”; and

(II) by inserting “and Entrepreneurship” before “of the Senate”;

(ii) in subparagraph (B), by striking “and” at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(D) a description of the process used to ensure that underperforming States are given priority application status under the FAST program.”; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “ANNUAL” and inserting “BIENNIAL”;

(ii) in the matter preceding subparagraph (A), by striking “annual” and inserting “biennial”;

(iii) in subparagraph (B), by striking “and” at the end;

(iv) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

“(D) the proportion of awards provided to and cooperative agreements entered into with underperforming States; and

“(E) a list of the States that were determined by the Administrator to be underperforming States, and a description of any changes in the list compared to previously submitted reports.”; and

(5) in subsection (g)(2)—

(A) by striking “2004” and inserting “2022”; and

(B) by inserting “and Entrepreneurship” before “of the Senate”.

**SA 1927.** Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IV of division D, add the following:

**SEC. 4463. REPORT ON DOMESTIC PROCESSING OF RARE EARTHS.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate committees of Congress a report on the authority and funding required to create long-term contracts for domestic processing of heavy rare earths sufficient to achieve